

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

UNITED STATES OF AMERICA §
§
VS. § CRIMINAL NO. G-05-09
§ CIVIL ACTION NO. G-07-509
ANDRE DAVID LeFFEBRE §

ORDER

On January 25, 2008, Andre David LeFfebre filed a “Motion for the Discovery and Expansion (sic) of Record” presumably pursuant to Rule 7 of the Rules Governing Section 2255 Proceedings in the United States District Courts. The Motion is related to ground four of his Motion under § 2255. In ground four, LeFfebre argues that the Indictment against him is void because the name of the Foreman of the Grand Jury has been redacted. In the instant Motion LeFfebre asks the Court to order production of Grand Jury records and minutes. For the reasons stated in this Court’s Report and Recommendation, filed this same date, the premise of LeFfebre’s argument has no legal merit; consequently, no “compelling necessity” exists to justify piercing the veil of secrecy surrounding Grand Jury proceedings. Izen v. Catalina, 256 F.3d 324, 329-30 (5th Cir. 2001), citing In re Grand Jury Proceedings, 832 F.2d 60, 62 (5th Cir. 1987)

It is, therefore, the ORDER of this Court that LeFfebre’s Motion for Expansion of the Record (Instrument no. 113) is DENIED.

DONE at Galveston, Texas, this 5th day of February, 2008.


John R. Froeschner
United States Magistrate Judge